

**JUDGE CONNER**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**07 CIV 6266**

DELORES MORRISON,

**COMPLAINT**

Plaintiff,

**TRIAL BY JURY DEMANDED**

-against-

FAMILY EMPOWERMENT COUNCIL,

Defendants.

FILED  
U.S. DISTRICT COURT  
S.D. OF N.Y.  
2007 JUL -9 AM 8:53

Plaintiff, Delores Morrisons, ("plaintiff") by her attorney, Kenneth W. Richardson for her Complaint against defendants, alleges the following:

1. This is a civil rights and disability action for declaratory relief, equitable relief, and monetary relief including back pay, front pay, compensatory and punitive damages and other relief to redress retaliation and discrimination in the terms and conditions of employment, based on plaintiff's race and disability.
2. Plaintiff files this action pursuant to the Americans with Disabilities Act, 42 U.S.C.A. §12101 et seq.(ADA); the New York State Human Rights Law, as codified in Executive Law §296 et seq.; and The New York City Human Rights Law, the New York City Administrative Code §8-107; Title VII of the Civil Rights Act of 1964, see 42 U.S.C. A. §§2000e et seq. .

### **JURISDICTION AND VENUE**

3. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C, § 1331, 1343; 42 U.S.C, § 1983; and pursuant to the doctrine of pendent jurisdiction.
4. Venue is properly laid in the Southern District of New York because virtually all of the acts and events and omissions giving rise to this action as set forth

herein occurred in the Southern District.

5. Plaintiff timely pursued all applicable administrative remedies. On or about April 13, 2007, Plaintiff did receive the annexed Right to Sue letter from the Equal Employment Opportunity Commission.

### **PARTIES**

6. Plaintiff, Delores Morrison, is a Black or African-American person who suffered from a disability.

7. Plaintiff resides in Monticello New York.

8. Defendant Family Empowerment Council Inc. is, upon information and belief, a corporation organized pursuant to the laws of the State of New York or a foreign corporation authorized to do business in the State of New York. Defendant maintains an address at 225 Dolson Avenue, Middletown, New York.

9. The Family Empowerment Council Inc. is an "Employer" within the meaning of Title VII and the Disabilities Act.

### **FACTS**

10. Plaintiff commenced her employment with the Defendant on or about May 14, 2001 and was terminated on or about January 21, 2005.

11. Plaintiff complains that she was treated disparately due to her race in not receiving raises or evaluations and that she was warned for being late while other employees who are not Black were allowed to come late without being issued any warning.

12. Plaintiff complains of disability discrimination for being terminated about a month after suffering a disabling automobile accident.

13. Plaintiff was unable to walk, drive or turn and was not offered any reasonable accommodation by defendant.

### **FIRST CLAIM FOR RELIEF**

13. Plaintiff repeats and realleges each and every allegation contained in paragraphs "1" through "12" as if fully set forth herein.

14. Defendants discriminated against Ms. Morrison with respect to the terms and conditions of employment on the basis of race in violation of Title VII 42 U.S.C. § 2000e

15. Plaintiff suffered and is suffering irreparable injury and monetary damages as a result of Defendants' acts and discriminatory practices, as well as mental distress and anguish and humiliation, and will continue to so suffer unless and until this Court grants relief.

### **SECOND CLAIM FOR RELIEF**

16. Plaintiff repeats and realleges each and every allegation contained in paragraphs "1" through "15" as if fully set forth herein.

17. Defendants discriminated against plaintiff by denying her equal treatment in the terms and condition of her employment in violation of the American with Disabilities Act.

18. Plaintiff suffered and is suffering irreparable injury and monetary damages as a result of Defendants' acts and discriminatory practices, as well as mental distress and anguish and humiliation, and will continue to so suffer unless and until this Court grants relief.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that his Court enter judgment:

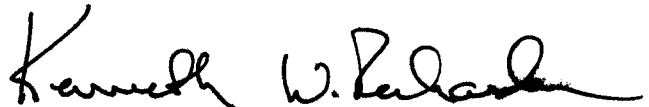
- a) declaring that the acts and practices complained of herein are in violation of the Title VII of the Civil Rights Act and the American With Disabilities Act,

- b) enjoining and permanently restraining these violations;
- c) directing Defendants to take such affirmative action as necessary to ensure that the effects of these unlawful acts and discriminatory employment practices are eliminated and do not continue to affect Plaintiff's employment opportunities;
- d) directing Defendants to pay Plaintiff compensatory damages, and damages for his mental anguish, mental distress, humiliation, loss of reputation, and interest thereon, and all such other damages and remedies as may be available to the Plaintiff;
- e) awarding Plaintiff the costs and disbursements. Of this action, together with reasonable attorneys' fees, including, without limitation, all such fees as are provided by applicable law;
- f) awarding Plaintiff punitive damages against Defendant;
- g) returning Plaintiff to her former position,
- h) retaining jurisdiction over this matter to assure full compliance with any Order of this Court; and
- i) granting such. Other and further relief as to this Court seems just and proper.

**DEMAND FOR A TRIAL BY JURY**

Plaintiff demands a trial by jury.

Dated: New York, New York  
July 9, 2007



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